

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/642,461	TODA ET AL.	
	Examiner	Art Unit	
	Kim-Kwok CHU	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 3/29/2007.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material         | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

***Allowable Subject Matter***

1. Claims 1-7 are allowable over prior art.
2. The following is an Examiner's statement of reasons for the indication of allowable subject matter based on the Amendment filed on March 29, 2007:

3. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

As in claim 1, the prior art of record fails to teach or fairly suggest an information recording apparatus having the following features:

a calculating circuit configured to calculate on the digital signal such that a recording condition of the oscillated laser light is adapted; and

the recording condition is previously recorded on the recording medium, the recording condition including a linear recording velocity of the oscillated laser light, a recording power of the oscillated laser light, amplitude information of the reproduced signal, an asymmetry of the recording power, a change ratio of the amplitude information to the recording power of the oscillated laser light, and a change ratio of the amplitude information to the linear recording velocity, and

wherein the recording power for information recording and reproducing is adapted by using the recording condition recorded on the recording medium as amplitude information of the reproduced signal and the change ratio of the amplitude information to the recording power.

As in claim 5, the prior art of record fails to teach or fairly suggest a computer-readable information recording medium having the following features:

information can be recorded onto the information recording medium and reproduced or erased therefrom by irradiating the information recording medium with oscillated laser light to form a recorded region in a recording area on the information recording medium, the recorded region being physically different from the region where information has not been recorded,

a recording condition comprising at least a linear recording velocity, recording power and amplitude information of the reproduced signal is previously recorded; and

information about the change ratio of the amplitude information to the recording power at the linear recording velocity is previously recorded.

As in claim 6, the prior art of record fails to teach or

fairly suggest a computer-readable information recording medium having the following features:

information can be recorded onto the information recording medium and reproduced or erased therefrom by irradiating the information recording medium with oscillated laser light to form a recorded region in a recording area on the information recording medium, the recorded region being physically different from the region where information has not been recorded,

a recording condition comprising at least a plurality of linear recording velocities, a plurality of recording powers and a plurality of pieces of amplitude information of the reproduced signal is previously recorded; and

information about the change ratio of the amplitude information to the recording power at each of the plurality of linear recording velocities is previously recorded.

As in claim 7, the prior art of record fails to teach or fairly suggest a computer-readable information recording medium having the following features:

information can be recorded onto the information recording medium and reproduced or erased therefrom by irradiating the information recording medium with oscillated laser light to form a recorded region in a recording area on the information

recording medium, the recorded region being physically different from the region where information has not been recorded,

a recording condition comprising at least a plurality of linear recording velocities, a plurality of recording powers and a plurality of pieces of amplitude information of the reproduced signal is previously recorded; and

information about the change ratio of the amplitude information to the recording power at a linear recording velocity in the recording-possible linear recording velocity range and information about the change ratio of the amplitude information to the linear recording velocity in the recording-possible linear recording velocity range are previously recorded.

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made obvious over, the prior art of record.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Related Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suga (6,418,102) is pertinent because Suga teaches a asymmetry detect circuit in a laser power calibration on optical disks.

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington, can be reached on (571) 272-4483.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9191 (toll free).

Kim-Kwok CHU

Examiner *Kim-Kwok CHU* 6/8/2007  
AU2627

June 8, 2007

(571) 272-7585

*Andrea Wellington*  
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SUPERVISORY PATENT EXAMINER